

SEP 28 2005

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

5

Application Number	09/870,023
Filing Date	May 30, 2001
First Named Inventor	Charles L. Branch et al.
Art Unit	3731
Examiner Name	Pedro Philogene

Attorney Docket Number

MSDI-213/PC365.05

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard	Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	September 26, 2005	Reg. No.	45,431

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3731

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

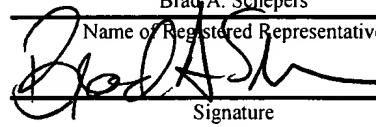
In re patent application of:) Before the Examiner:
Charles L. Branch et al.) Pedro Philogene
)
Application Serial No.: 09/870,023) Group Art Unit: 3731
)
Filed: May 30, 2001) Ref. No.: MSDI-213/ PC365.05
)
INTERBODY FUSION GRAFTS) September 26, 2005
AND INSTRUMENTATION)

AMENDMENT

Commissioner for Patents
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Sir:

Please enter and consider the following amendments and remarks. Please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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INTRODUCTORY COMMENTS

The specification has been amended via this Amendment to correct an informality in the priority claim. The Applicant respectfully requests entry of this Amendment and consideration and allowance of the subject application including pending claims 63-106.